Case 22-21886-JAD Doc 54 Filed 01/15/25 Entered 01/16/25 00:41:24 Desc Imaged

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FILED 1/13/25 1:49 pm CLERK

COURT - WDPA

U.S. BANKRUPTCY

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

AMY L. THOMAS,

) Case No. 22-21886-JAD
) Chapter 13
)
X Doc. # 51

ORDER OF COURT (Check Boxes That Apply)

☑ Confirming Plan on Final Basis	☐ Chapter 13 Plan dated:	
☐ Authorizing Distributions Under Plan		
On Interim Basis Solely as Adequate	12/2/24	
Protection		

Debtor(s).

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$1,474 effective 1/23.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. <u>Unique Provisions Applicable Only to This Case</u>: Only those provisions which are checked below apply to this case:

A. For the remainder of the Plan term, the periodic monthly Plan payment is
amended to be \$, beginning To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the
Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment
program.
R The length of the Plan is changed to a total of at least months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket. The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.
Parties are reminded of their duty to monitor the Court's docket and attend duly scheduled hearings. The parties are further reminded of their duty to meet and confer and otherwise engage in good faith settlement negotiations with respect to any objection to plan confirmation. Failure to comply with these duties may result in the imposition of sanctions against the offending party.
D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under 11 U.S.C. §506, disputes over the amount and allowance of claims entitled to priority under 11 U.S.C. §507, and all objections to claims.
E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
F. The following utility creditorshall be paid monthly payments of \$ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
 G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: PWSA CL. #17
H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be

de	ermined by Trustee to pay in full during the Plan term:
J.	The secured claim(s) of the following creditor(s) shall govern, following all swed post-petition payment change notices filed of record:

K. Additional Terms and Conditions:

- The Cadle Company II CL. #14 to be paid \$23,199.54 at 12.75% interest with payments determined by trustee to pay in full.
- Debtor(s) are to fund the plan by TFS [notwithstanding anything to the contrary in the plan] which is to be implemented within 14 days of the date of this Order (if not previously implemented). Debtor(s) are responsible for ensuring that the full monthly plan payment is made each month regardless of the manner in which payments are intended to be made.
- All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods
- To the extent the Plan is confirmed pre-bar date(s) or the completion of pending or contemplated litigation (including §506/522f action and objections to claims) or Loss Mitigation (LMP), creditors will be paid per plan in the plan amount (or as superseded by this Confirmation Order or other Order(s) of Court) notwithstanding a claim in a greater amount or priority. Debtor shall review all proofs of claims as filed and to take such action(s), including modification of the Plan or this Confirmation Order, as is necessary to address claim discrepancies and to address other subsequent events that will affect the adequacy of plan funding (including the outcome of contemplated or pending litigation and LMP). The need to address plan funding deficiency includes increasing the plan payment as necessary to fund 100% of timely filed and allowed non-specially classified unsecured creditors in 100% plan cases.

2. <u>Deadlines</u>. The following deadlines are hereby established and apply to this case:

- A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.
- **B.** Review of Claims Docket and Objections to Claims. Pursuant to W.PA.LBR 3021-1(c)(2), the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of

claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

- C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to 11 U.S.C. §§506, 507 and 522 shall be filed within ninety (90) days after the claims bar date.
- **D.** Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. <u>Additional Provisions</u>. The following additional provisions apply in this case:

- **A.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
- **B.** The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.
- **C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty—one (21) days prior to the change taking effect.
- **D.** Debtor(s)' counsel must file a fee application in accordance with *W.PA.LBR* 2016–1 before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

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- **E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.
- **F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed *secured claim* (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.
- **G.** The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

Н.	The Debtor(s) shall pay timely all J	post-confirmation tax liabilities directly to the
appropriate tax	king authorities as they become due.	

United States Bankruptcy Judge

JEFFERY A. DELLER

Dated: 1/13/2025

cc: All Parties in Interest to be served by Clerk

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United States Bankruptcy Court Western District of Pennsylvania

In re: Case No. 22-21886-JAD
Amy L. Thomas Chapter 13

Debtor

CERTIFICATE OF NOTICE

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Date Rcvd: Jan 13, 2025 Form ID: pdf900 Total Noticed: 51

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- ^ Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 15, 2025:

Recip ID	Recipient Name and Address
db	Amy L. Thomas, PO Box 9679, Pittsburgh, PA 15226-0679
15518150	+ Aes/bela-us Bank, 2500 Broadway, Helena, MT 59601-4901
15518154	+ BSI Financial Srvs, 5680 Greenwood Plaza Blvd, Greenwood Village, CO 80111-2414
15526188	 Wilmington Savings Fund Society, FSB, d/b/a, Christiana Trust as Trustee for PNPMS Tr, c/o Michael J. Clark, Esq. (PA I.D. # 20, One Jenkintown Station, Suite 104, 115 West Avenue Jenkintown, PA 19046-2031

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time

Standard Time.			
Recip ID	Notice Type: Email Address + Email/Text: bkfilings@zwickerpc.com	Date/Time	Recipient Name and Address
	·	Jan 14 2025 00:12:00	American Express National Bank c/o Zwicker & Assoc, 80 Minuteman Road, P.O. Box 9043, Andover, MA 01810-0943
cr	+ Email/Text: RASEBN@raslg.com	Jan 14 2025 00:09:00	Nationstar Mortgage LLC, Robertson, Anschutz, Schneid, Crane & Pa, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecover	ry.com	
		Jan 14 2025 00:32:28	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnpwsa@grblaw.com		
		Jan 14 2025 00:10:00	Pittsburgh Water and Sewer Authority, GRB Law, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219, UNITED STATES 15219-1753
15520664	+ Email/Text: bkfilings@zwickerpc.com	Jan 14 2025 00:12:00	American Express National Bank, AENB, c/o Zwicker and Associates, P.C., Attorneys/Agents for Creditor, P.O. Box 9043, Andover, MA 01810-0943
15518152	+ Email/PDF: bncnotices@becket-lee.com	Jan 14 2025 00:32:30	Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
15518151	+ Email/PDF: bncnotices@becket-lee.com		
		Jan 14 2025 00:32:39	Amex, P.o. Box 981537, El Paso, TX 79998-1537
15518155	+ Email/Text: bankruptcy@bsifinancial.com	Jan 14 2025 00:10:00	BSI Financial Srvs, Attn: Bankruptcy, Po Box 517, Titusville, PA 16354-0517
15518156	Email/Text: caineweiner@ebn.phinsolutions.com	Jan 14 2025 00:10:45	Caine & Weiner, Po Box 55848, Sherman Oaks, CA 91413
15518163	Email/Text: cfcbackoffice@contfinco.com	Jan 14 2025 00:10:00	Continental Finance Co, Attn: Bankruptcy, 4550 Linden Hill Rd, Ste 4, Wilmington, DE 19808
15518162	Email/Text: cfcbackoffice@contfinco.com	Jan 14 2025 00:10:00	Continental Finance Co, Pob 8099, Newark, DE 19714
15518179	Email/Text: cfcbackoffice@contfinco.com	Jan 14 2025 00:10:00	Verve, PO Box 6812, Carol Stream, IL 60197-6812
15518157	+ Email/Text: caineweiner@ebn.phinsolutions.com		

Jan 14 2025 00:10:45

Caine & Weiner, Attn: Bankruptcy, 5805

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	,		
15543028	Email/PDF: AIS.cocard.ebn@aisinfo.com		Sepulveda Blvd, Sherman Oaks, CA 91411-2546
15510150	A MEDIA	Jan 14 2025 00:20:51	Capital One N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15518158	^ MEBN	Jan 14 2025 00:09:29	Century Support Services, 2000 Commerce Loop, Suite 2111, Irwin, PA 15642-8113
15518161	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.CO	M Jan 14 2025 00:10:00	Comenity Bank/Torrid, Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
15518160	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.CO	M Jan 14 2025 00:10:00	Comenity Bank/Torrid, Po Box 182789, Columbus, OH 43218-2789
15518165	+ Email/Text: bankruptcy_notifications@ccsusa.com	Jan 14 2025 00:12:00	Credit Collection Services, Attn: Bankruptcy, 725 Canton St, Norwood, MA 02062-2679
15518164	+ Email/Text: bankruptcy_notifications@ccsusa.com	Jan 14 2025 00:12:00	Credit Collection Services, Po Box 607, Norwood, MA 02062-0607
15518166	+ Email/PDF: creditonebknotifications@resurgent.com	Jan 14 2025 00:32:39	Credit One, P.O. Box 98873, Las Vegas, NV 89193-8873
15585242	Email/Text: ECMCBKNotices@ecmc.org	Jan 14 2025 00:11:00	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
15518153	Email/Text: BNBLAZE@capitalsvcs.com	Jan 14 2025 00:10:00	Blaze Mastercard, PO Box 2534, Omaha, NE 68103-2534
15518168	Email/Text: BNBLAZE@capitalsvcs.com	Jan 14 2025 00:10:00	First Savings Bank/Blaze, 500 E. 60th Street, Sioux Falls, SD 57104
15518169	Email/Text: BNBLAZE@capitalsvcs.com	Jan 14 2025 00:10:00	First Savings Bank/Blaze, Attn: Bankruptcy, Po Box 5096, Sioux Falls, SD 57117
15526360	Email/PDF: resurgentbknotifications@resurgent.com	Jan 14 2025 00:22:08	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15525132	Email/PDF: MerrickBKNotifications@Resurgent.com	Jan 14 2025 00:21:03	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15518170	Email/PDF: MerrickBKNotifications@Resurgent.com	Jan 14 2025 00:20:33	Merrick Bank, PO Box 660702, Dallas, TX 75266-0702
15518171	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Jan 14 2025 00:20:42	Merrick Bank Corp, Po Box 9201, Old Bethpage,
15518172	Email/Text: nsm_bk_notices@mrcooper.com	Jan 14 2025 00:10:00	Mr. Cooper, PO Box 60516, City of Industry, CA
15518173	+ Email/Text: nsm_bk_notices@mrcooper.com	Jan 14 2025 00:10:00	91716-0516 Mrc/united Wholesale M, 350 Highland, Houston,
15518174	+ Email/Text: nsm_bk_notices@mrcooper.com	Jan 14 2025 00:10:00	TX 77009-6623 Mrc/united Wholesale M, Attn: Bankruptcy, P. O.
15552050	Email/Text: nsm_bk_notices@mrcooper.com	Jan 14 2025 00:10:00	Box 619098, Dallas, TX 75261-9098 Nationstar Mortgage, LLC, ATTN: Bankruptcy
15551459	+ Email/Text: bncnotifications@pheaa.org	Jan 14 2025 00:10:00	Dept., PO Box 619096, Dallas, TX 75261-9741 PHEAA, PO Box 8147, Harrisburg, PA
15552159	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecove	ry.com Jan 14 2025 01:53:49	17105-8147 Portfolio Recovery Associates, LLC, POB 12914,
15518458	Email/Text: RVSVCBICNOTICE1@state.pa.us	Jan 14 2025 00:11:00	Norfolk VA 23541 Pennsylvania Department of Revenue, Bankruptcy
15518175	+ Email/Text: RVSVCBICNOTICE1@state.pa.us		Division PO Box 280946, Harrisburg PA 17128-0946
	•	Jan 14 2025 00:11:00	Pennsylvania Dept of Revenue, PO Box 280946, Harrisburg, PA 17128-0946
15564089	+ Email/Text: ebnpwsa@grblaw.com	Jan 14 2025 00:10:00	Pittsburgh Water and Sewer Authority, GRB Law, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, St. 3110, Pittsburgh, PA 15219-1753

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Date Rcvd: Jan 13	, 2025	Form ID: pdf900	Total Noticed: 51
15549584	Email/Text: bnc-quantum@quantum3group	p.com Jan 14 2025 00:11:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
15545120	Email/Text: bnc-quantum@quantum3group	Jan 14 2025 00:11:00	Quantum3 Group LLC as agent for, MOMA Trust LLC, PO Box 788, Kirkland, WA 98083-0788
	^ MEBN	Jan 14 2025 00:09:11	Statebridge Company, 6061 South Willow Drive, Suite 300, Englewood, CO 80111-5151
15518597	^ MEBN	Jan 14 2025 00:07:54	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15551564	+ Email/Text: bncmail@w-legal.com	Jan 14 2025 00:11:00	TD Bank USA, N.A., C O WEINSTEIN & RILEY, PS, 2001 WESTERN AVENUE, STE 400, SEATTLE, WA 98121-3132
15518178	+ Email/Text: bncmail@w-legal.com	Jan 14 2025 00:10:00	Target Nb, C/O Financial & Retail Services, Mailstop BT PO Box 9475, Minneapolis, MN 55440-9475
15518177	+ Email/Text: bncmail@w-legal.com	Jan 14 2025 00:10:00	Target Nb, Po Box 673, Minneapolis, MN 55440-0673
16442677	+ Email/Text: gocadle@cadleco.com	Jan 14 2025 00:11:00	The Cadle Company II, Inc., 100 North Center Street, Newton Falls, OH 44444-1380
15549782	Email/PDF: ebn_ais@aisinfo.com	Jan 14 2025 00:32:42	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15551965	^ MEBN	Jan 14 2025 00:09:12	Wilmington Savings Fund Society, FSB, d/b/a Christ, c/o Statebridge, 6061 S. Willow Drive, Greenwood Village, CO 80111-5140

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		PA Dept of Revenue
cr		Wilmington Savings Fund Society, FSB, d/b/a Christ
cr	*	ECMC, P.O. Box 16408, St. Paul, MN 55116-0408
cr	*+	The Cadle Company II, Inc., 100 North Center Street, Newton Falls, OH 44444-1380
15518159	*+	Century Support Services, 2000 Commerce Loop, Suite 2111, Irwin, PA 15642-8113
15518167	*+	Credit One, P.O. Box 98873, Las Vegas, NV 89193-8873

TOTAL: 2 Undeliverable, 4 Duplicate, 0 Out of date forwarding address

TOTAL: 47

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 15, 2025	Signature:	/s/Gustava Winters

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CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 13, 2025 at the address(es) listed below:

below

Name Email Address

Brent J. Lemon

on behalf of Creditor Nationstar Mortgage LLC blemon@kmllawgroup.com lemondropper75@hotmail.com

Charles Griffin Wohlrab

on behalf of Creditor Nationstar Mortgage LLC bkecf@friedmanvartolo.com cwohlrab@ecf.courtdrive.com

Jeffrey R. Hunt

on behalf of Creditor Pittsburgh Water and Sewer Authority jhunt@grblaw.com

Joseph Jasper Swartz

on behalf of Creditor PA Dept of Revenue RA-occbankruptcy2@state.pa.us RA-occbankruptcy6@state.pa.us

Kenneth Steidl

on behalf of Debtor Amy L. Thomas julie.steidl@steidl-steinberg.com

ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;rlager@st

eidl-steinberg.com;awerkmeister@steidl-steinberg.com;bwilhelm@steidl-steinberg.com

Michael John Clark

on behalf of Creditor Wilmington Savings Fund Society FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust I

mclark@pincuslaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

Stephen Russell Franks

on behalf of Creditor Nationstar Mortgage LLC amps@manleydeas.com

TOTAL: 9